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**NOTICE OF APPEAL FROM THE EXAMINER TO  
THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number (Optional)

111788.0101

In re Application of  
William JOHNS et al.Application Number  
09/765 431-Conf. #9036Filed  
January 22, 2001For SYSTEM AND METHOD FOR CONTINUOUS MONITORING  
AND MEASUREMENT OF PERFORMANCE OF  
COMPUTERS ON NETWORKArt Unit  
2152Examiner  
L. D. T. TruongApplicant hereby **appeals** to the Board of Patent Appeals and Interferences from the last decision of the examiner.

The fee for this Notice of Appeal is (37 CFR 41.20(b)(1))

\$ 510.00

☒ Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown  
above is reduced by half, and the resulting fee is:

\$ 255.00

☐ A check in the amount of the fee is enclosed.☐ Payment by credit card. Form PTO-2038 is attached.☒ The Director has already been authorized to charge fees in this application to a Deposit Account.  
I have enclosed a duplicate copy of this sheet.☒ The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to  
Deposit Account No. 23-2185. I have enclosed a duplicate copy of this sheet.☐ A petition for an extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.**WARNING: INFORMATION ON THIS FORM MAY BECOME PUBLIC. CREDIT CARD INFORMATION SHOULD NOT  
BE INCLUDED ON THIS FORM. PROVIDE CREDIT CARD INFORMATION AND AUTHORIZATION ON PTO-2038.**

I am the

☐ applicant /inventor.☐ assignee of record of the entire interest.  
See 37 CFR 3.71. Statement under 37 CFR 3.73(b)  
is enclosed. (Form PTO/SB/96)☒ attorney or agent of record.Registration number 35,126☐ attorney or agent acting under 37 CFR 1.34.

Registration number if acting under 37 CFR 1.34 \_\_\_\_\_

Signature

David J. Edmondson  
Typed or printed name

(202) 772-5800

Telephone number

February 8, 2008

Date

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required.  
Submit multiple forms if more than one signature is required, see below.☐ \*Total of 1 forms are submitted.